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4-12-2000



**Tribunal Pénal International pour le Rwanda  
International Criminal Tribunal for Rwanda**

**IN THE APPEALS CHAMBER**

**Before:** Judge Claude JORDA, Pre-hearing Judge

**Registrar:** Mr. Agwu U. OKALI

**Decision of:** 5 October 2000

ICTR. 96.3-A

1 DECEMBER 2000  
(3-1/315/H 613)

**Georges Anderson Nderubumwe RUTAGANDA**  
(Appellant)

v.

**THE PROSECUTOR**  
(Respondent)

Case no. ICTR-96-3-A

JUDICIAL RECORDS/ARCHIVES  
ICTR  
RECEIVED

2000 DEC -4 1 P 1:15

**DECISION**

**Counsel for the Defence**

Ms. Tiphaine DICKSON

**Counsel for the Prosecution**

Mr. Solomon LOH

ICTR Appeals Chamber  
Date: 1/Dec/2000  
Action:  
Copied To: All Judges, ALDs

Parties, Archives  
MB  
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*translation*

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GIS**I, Claude Jorda, pre-hearing Judge in this case,**

**NOTING** the Judgment delivered on 6 December 1999 in this case by Trial Chamber I of the International Criminal Tribunal for Rwanda;

**NOTING** the Notices of Appeal filed by Georges Anderson Nderubumwe RUTAGANDA on 5 January 2000 and by the Prosecutor on 6 January 2000 ("the Notices of Appeal");

**NOTING** the Prosecution Motion entitled "Prosecution Motion to Seek Clarification of the Time-Limit to File the Appellant's Brief", filed on 21 September 2000, in which the Prosecutor requests the Appeals Chamber to clarify the calculation of the time limits for the parties to file their Briefs;

**NOTING** the Appeals Chamber Decision of 20 April 2000 confirming that the applicable time limit is that set by Rule 111 of the Tribunal's Rules of Procedure and Evidence ("the Rules") in force on the dates on which the Notices of Appeal were filed rather than the time limit set by Rule 111 as amended on 21 February 2000;

**NOTING** that the Rule 111 in force on the dates on which the Notices of Appeal were filed is worded: "An Appellant's brief shall contain all the argument and authorities. It shall be filed with the Registrar and served on the other party within ninety days of the certification of the record";

**CONSIDERING** that on 28 July 2000 the components of the record were certified by the Registry as shown by the document entitled "Registry Certificate on the Record in Case No. ICTR-96-3 The Prosecutor versus Georges Anderson Nderubumwe Rutaganda";

**CONSIDERING NEVERTHELESS** that on 17 August 2000 the Registry informed the Prosecutor in writing that the record was not actually ready because of difficulties in the production of certain exhibits;

**CONSIDERING** that on 7 September 2000 the Prosecutor was informed by the Registry that the components of the record had been dispatched to her by DHL on 1 September 2000, and that the Prosecutor notified the Appeals Chamber that the said record had been received on 11 September 2000;

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bis

**CONSIDERING** that time limits are calculated from the time of the parties' receipt of the certified documents of the record on appeal;

**FOR THESE REASONS**

**ACCEDES** to the Prosecution Motion, and

**FINDS** that 11 September 2000 was the start date for the time allowed the Prosecutor to file her Brief.

Done in both English and French, the French text being authoritative.

[signed]

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Claude Jorda,  
Presiding

Done at The Hague (Netherlands), 5 October 2000

[Seal of the Tribunal]